

News Release

Citizen Auditor Sengstock Wins Court Decision on Public Records Case

November 24, 2021

Citizen Auditor, Loren Sengstock has **won in the Ohio Court of Claims** with a November 17, 2021 report and recommendation by Special Master of the court. Mr. Sengstock challenged the City of Twinsburg's Finance Director and Law Director regarding the denial and redaction of payroll register data, including public employees' names. After 4 plus months in court, the **court's report and recommendation (link below) fully agrees with Citizen Auditor Sengstock's complaint and reply plea** that the City of Twinsburg is the trustee of the public's records and are without legal precedent or argument to redact a public employee(s) name regardless of age. **As the Mayor, Law Director, Finance Director, and City Council remained silent at the Council meeting on 11/23/2021**, Sengstock felt **transparency and accountability warranted a public statement for the benefit of the public which too has been waiting on the court's decision**. Mr. Sengstock's motive in bringing this case has always been the **'Rule of Law'** and that the Ohio legislature is the creator of what is and is not a 'public record' in Ohio; because in **America 'the Law is King' and not any elected or appointed government official(s)!**

Mr. Sengstock said that he pleased to have been so **decisively confirmed by the court in its report and recommendation** regarding his research and understanding of the public records law of Ohio and now hopes the Law Director, Finance Director, and City Council can better understand what the **'Rule of Law'** means in America and Twinsburg! He hopes that the bi-weekly personal character attacks and misleading facts of this case will finally cease from Council person Bill Furey at the Council meetings along with the innuendos carelessly thrown around in public. **This case is about the 'Rule of Law' and not about ages of public employees, as the court report clearly says**. The **taxpayers of Twinsburg will once again be responsible for picking up the costs of losing in court**; something they are familiar with having lost over 5-6 times with cases brought by Sally Gaydosh, ACT Statutory Agent over the last several decades for various zoning and failure to allow voters their rights in the City's Charter . Sengstock said, any reasonable Law Director **could have resolved this matter with a phone call** and an understanding of the public records Laws in Ohio, but when it is taxpayers footing the bill, I guess Twinsburg is not concerned, as **City Council led by Bill Furey had decided to spend whatever it takes to beat Sengstock!** Well, the city has seven days to decide if they're willing to head to the Ohio Supreme Court with the taxpayer's checkbook in hand?

The city denied by redacting the public records because of what **they 'believed'**, what they considered **'good sense'**, and **they alone were allowed to redact minor names as though a public employees name on a payroll register did not document the activities of a public office**.

The **Special Master concluded that the names of juvenile employees in the requested Payroll Register are City public records that are not subject to any exemption**.

CONCLUSION: Upon consideration of the pleadings and attachments, the special master recommends the court find that **respondent (City of Twinsburg) has failed to produce public records in violation of R.C. 149.43 (B) (1) and order respondent to disclose the redacted employees' names**. The special

master further recommends the ***court order that requester (Loren Sengstock) is entitled to recover from respondent the costs associated with this action***, including the twenty-five-dollar filing fees. R.C. 2743.75 (F)(3)(b). It is recommended that ***court costs be assessed to respondent (City of Twinsburg)***.

The City of Twinsburg now has seven (7) days business days to file written objections and objections shall be specific and state with particularity all grounds for objection. The ***citizens and taxpayers of Twinsburg are now up to date on the status of the case in court, unless the city leaders chose to appeal?***

The court documents can be read in full at www.activecitizensoftwinsburg.com under the Ohio Court of Claims tab and they are also available at www.citizenauditorohio.com .

Loren Sengstock, Citizen Auditor

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